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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/580,515

10/30/2006

Bei Wang

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24737

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11/17/2009

PHILIPS INTELLECTUAL PROPERTY & STANDARDS

P.O. BOX 3001

BRIARCLIFF MANOR, NY 10510

EXAMINER

HOANG, SON T

ART UNIT

PAPER NUMBER

2165

MAIL DATE

DELIVERY MODE

11/17/2009

PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

<b>Office Action Summary</b>	<b>Application No.</b> 10/580,515	<b>Applicant(s)</b> WANG ET AL.	
	<b>Examiner</b> SON T. HOANG	<b>Art Unit</b> 2165	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 03 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 10 July 2009.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 26-40 is/are pending in the application.
- 4a) Of the above claim(s) 31-40 is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 26-30 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 25 April 2006 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
- ☒ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |                                                                                      |                                                                   |
|--------------------------------------------------------------------------------------|-------------------------------------------------------------------|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)          | 4) <input type="checkbox"/> Interview Summary (PTO-413)           |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____                                      |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)          | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____                                                          | 6) <input type="checkbox"/> Other: _____                          |

## DETAILED ACTION

### *Response to Amendment*

1. **Claims 1-25** are canceled.  
**Claims 31-40** are withdrawn.  
**Claim 26** is amended.  
**Claims 26-30** are pending.

### *Response to Arguments*

2. 35 U.S.C. 112, second paragraph, rejections of **claims 26-30** are withdrawn in view of Applicant's amendment.
3. Applicant's arguments with respect to the 35 U.S.C. 103(a) rejections of the pending claims have been considered but are moot in view of the new ground of rejections presented hereon.

### *Claim Rejections - 35 USC § 103*

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

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5. **Claims 26-30** are rejected under 35 U.S.C. 103(a) as being unpatentable over Lin et al. (*Pat. No. US 6,574,417, filed on August 20, 1999, hereinafter Lin*) in view of Mercer et al. (*Pub. No. US 2004/0078382, filed on October 17, 2002; hereinafter Mercer*).

Regarding **claim 26**, Lin clearly shows and discloses an optical storage medium (*Figures 14-15*), comprising:

a plurality of content object files including a plurality of data types having a plurality of data formats for playback on a data processing system appropriate for playback of at least one data format (*As part of pre-processing, a disk may be checked for usability. in order to create a new video program (title) set menu (i.e. a menu of programs available on the disc), a standard pre-formed menu is used including title set menu cell address table 711 and video title set menu video object unit address map 713, [Column 5, Line 53 → Column 6, Line 5]. The term `program` is used to represent any form of packetized data such as audio data, telephone messages, computer programs, Internet web pages or other communications, for example, [Column 2, Lines 64-67]*);

an application layer including a generic logic format having a data structure in which the content object files are stored on the optical storage medium (*a processing system encodes a video program into a generic data format (as exemplified in FIG. 1)*

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*that is compatible with recordable and read-only video processing devices, [Column 4, Lines 9-12]]); and*

a physical layer directly linked to a physical character of the optical storage medium, wherein the application layer is separate from said physical layer (*Figures 5-6*),

wherein said generic logic format comprises (*Figure 1*):

at least two content object files, wherein the data format of at least two of the content object files is different (*Figure 7 shows a flowchart for a method for providing volume/file structure and navigation data compatible with different data formats, [Column 8, Lines 7-9]]);*

an index file including a table of contents having a reference to one of the at least two content object files (*title search pointer table 233 includes search information items 253, 255, 257 and 259 each specifying program type, program number, number of camera angles, parental rating identifier and program start address, for example) for each program on a disk. Title search pointer table 233 also includes in item 248 parameters defining size and location of search pointer table 233 itself, [Column 5, Lines 30-36]]).*

Lin does not disclose at least one object definition file associated with each content object file, the at least one object definition file being written in a meta language and describing the data type and data format in one of said at least two content object files; and the index file being written in a meta language.

However, Mercer discloses:

at least one object definition file associated with each content object file, the at least one object definition file describing the data type and data format in one of said at least two content object files (*Figure 7 shows structure of CONTENTS.HTM. The Offset to Directory Number field is a four byte entry representing the byte offset from the beginning of CONTENTS.HMT to the directory number for this entry. The File Type field is a two byte entry representing the File type (e.g., the data encoding format), [0086];* and

the at least one object definition file and the index file being written in a meta language (*The accelerator files exist on a medium under a top-level level directory called `HIGHMAT` and include the following files: CONTENTS.HMT, nnnnnnnn.HMT, MENU.HMT, and TEXT.HMT. The CONTENTS.HMT file contains information about all the media files present on the medium. It contains a directory table, followed by the file entry tables for each of the supported file types ( Audio, Video, Image and Playlist). There is one file for each playlist on the medium called `nnnnnnnn.HMT` where nnnnnnnn is a hexadecimal playlist file identifier. These playlist files are created in a `PLAYLIST` subdirectory. The MENU.HMT file contains the menu structure. The TEXT.HMT file contains all the textual information needed during playback, [0115]).*

It would have been obvious to an ordinary person skilled in the art at the time of the invention was made to incorporate the teachings of Mercer with the teachings of Lin for the purpose of creating and displaying an adaptive menu structure for media files

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utilizing an authoring software to create the menu structure to enable a user to navigate the media files using a media player ([Abstract] of Mercer).

Regarding **claim 27**, Mercer further discloses the meta-language includes one of the following: Extensible Markup Language (XML), Synchronized Multimedia Integrated Language (SMIL), and a custom-defined meta-language (*The accelerator files exist on a medium under a top-level level directory called `HIGHMAT` and include the following files: CONTENTS.HMT, nnnnnnnn.HMT, MENU.HMT, and TEXT.HMT. The CONTENTS.HMT file contains information about all the media files present on the medium. It contains a directory table, followed by the file entry tables for each of the supported file types ( Audio, Video, Image and Playlist). There is one file for each playlist on the medium called `nnnnnnnn.HMT` where nnnnnnnn is a hexadecimal playlist file identifier. These playlist files are created in a `PLAYLIST` subdirectory. The MENU.HMT file contains the menu structure. The TEXT.HMT file contains all the textual information needed during playback, [0115]*).

Regarding **claim 28**, Mercer further disclose:

the application layer further comprises a plurality of content objects file each containing a different data type (*exemplary compressed media format of the invention encompasses audio, still images, and video media files 1004 in various formats, [0098]*),

a corresponding plurality of object definition files each defining the data type in the corresponding content object file (*Figure 7 shows structure of CONTENTS.HTM. The Offset to Directory Number field is a four byte entry representing the byte offset*

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*from the beginning of CONTENTS.HMT to the directory number for this entry. The File Type field is a two byte entry representing the File type (e.g., the data encoding format), [0086]), and*

*a presentation file, the presentation file including presentation definitions of the content object files to be played (playlist is a convenient way to organize groups of audio, video, and image files on a computer-readable medium. The playlist may include, but is not limited to, one or more of the following: a media file, a group of audio files, a group of video files, a group of timed image sequences, and a group of various complex parallel combinations of images with audio or video. For example, a user may create playlists for different performers or different kinds of music or videos. The user also can manipulate the created playlists by shuffling or repeating the playlists. Playlists allow the user to easily view a listing of media files to sort, search, and quickly navigate, [0034]).*

Regarding **claim 29**, Mercer further discloses the application layer further comprises a file system (*compressed media format for use with the invention defines a logical format for organizing compressed media files 1004 in a file system 1006 on computer-readable media 1008 such as optical discs (e.g., CD-ROM, CD-R, CD-RW, DVD-RAM, DVD-R, DVD-RW, DVD+RW, DVD+R, DVD-ROM), flash memory (e.g., COMPACTFLASH brand, secure digital, MEMORY STICK brand), magnetic media (e.g., hard disks), and the like, [0098]).*



Regarding **claim 30**, Mercer further discloses the playlist definition file is written in a meta language (*The accelerator files exist on a medium under a top-level level directory called `HIGHMAT` and include the following files: CONTENTS.HMT, nnnnnnnn.HMT, MENU.HMT, and TEXT.HMT. The CONTENTS.HMT file contains information about all the media files present on the medium. It contains a directory table, followed by the file entry tables for each of the supported file types ( Audio, Video, Image and Playlist). There is one file for each playlist on the medium called `nnnnnnnn.HMT` where nnnnnnnn is a hexadecimal playlist file identifier. These playlist files are created in a `PLAYLIST` subdirectory. The MENU.HMT file contains the menu structure. The TEXT.HMT file contains all the textual information needed during playback, [0115] and FIG. A1).*

### **Conclusion**

6. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any

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extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

### ***Contact Information***

7. Any inquiry concerning this communication or earlier communications from the Examiner should be directed to Son T. Hoang whose telephone number is (571) 270-1752. The Examiner can normally be reached on Monday – Friday (7:00 AM – 4:00 PM).

If attempts to reach the Examiner by telephone are unsuccessful, the Examiner's supervisor, Neveen Abel-Jalil can be reached on (571) 272-4074. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

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/S. T. H./

Examiner, Art Unit 2165

November 16, 2009

/Neveen Abel-Jalil/

Supervisory Patent Examiner, Art Unit 2165